

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION

TROY O. MILLER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	No. 5:19-cv-00060-FDW-DSC
ANDREW M. SAUL,	)	
Commissioner of	)	
Social Security,	)	
	)	
Defendant.	)	
	)	

**ORDER**

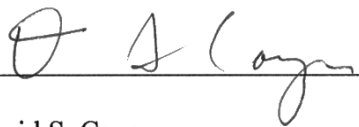
Plaintiff's counsel filed a Motion for attorney's fees under 42 U.S.C. § 406(b) in the amount of \$20,183.00. Attorney's fees under 42 U.S.C. § 406(b) are paid from past-due benefits awarded to a successful claimant.

Defendant filed a Response to the Motion noting that under *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee. It is hereby ORDERED that Plaintiff's counsel be awarded fees under 42 U.S.C. 406(b) in the amount of \$20,183.00.

Counsel shall reimburse Plaintiff for any fees previously received under the Equal Access Justice Act, 28 U.S.C. § 2412.

**SO ORDERED.**

Signed: January 26, 2021

  
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David S. Cayer  
United States Magistrate Judge

